



Australian Government
Department of Industry,
Innovation and Science

Anti-Dumping
Commission

ANTI-DUMPING NOTICE NO. 2017/44

Certain Aluminium Road Wheels

Exported to Australia from the People's Republic of China

Initiation of an Accelerated Review

Customs Act 1901 – Part XVB

I, Dale Seymour, the Commissioner of the Anti-Dumping Commission, on 15 March 2017 commenced an accelerated review of the anti-dumping measures applying to certain aluminium road wheels ('ARWs' or 'the goods') exported to Australia from the People's Republic of China (China), in so far as they relate to a new exporter, Taian Qicheng Wheel Manufacturing Co., Ltd (Taian).

The goods

The goods the subject of the application are:

Aluminium road wheels for passenger motor vehicles, including wheels used for caravans and trailers, in diameters ranging from 13 inches to 22 inches. For clarification, the goods include finished or semi-finished aluminium road wheels whether unpainted, painted, chrome plated, forged or with tyres and exclude aluminium wheels for go-carts and All-Terrain Vehicles.

The goods are currently classified to the following tariff subheadings of Schedule 3 to the *Customs Tariff Act 1995*:

- 8708.70.91 (statistical code 78);
- 8708.70.99 (statistical code 80); and
- 8716.90.00 (statistical code 39).

Existing measures

Anti-dumping measures in relation to exports of the goods to Australia were initially imposed by public notice on 5 July 2012 by the then Minister for Home Affairs following consideration of *International Trade Remedies Report No. 181* (REP 181), and applied to all exporters of ARWs from China, with the exception of Zhejiang Shuguang Industrial Co. Ltd. (not subject to dumping and countervailing duties) and CITIC Dicastal Wheel Manufacturing Co. Ltd. (not subject to countervailing duties).

On 22 October 2015, the variable factors relevant to the determination of dumping and countervailing duty applicable to all exporters of aluminium road wheels from China¹ were altered by the then Assistant Minister for Science and the Parliamentary Secretary to the Minister for Industry, Innovation and Science (Parliamentary Secretary)² following a review of measures. Notice of the decision was published in the *Commonwealth of Australia Gazette*, *The Australian* newspaper. Reasons for the decision can be found in *Anti-Dumping Commission Report No. 263* (REP 263).

On 8 August 2016, a notice was published on the Anti-Dumping Commission (the Commission) website (www.adcommission.gov.au) inviting certain persons to apply for the continuation of anti-dumping measures regarding the goods exported to Australia from China, in accordance with subsection 269ZHB(1) of the *Customs Act 1901* (the Act).

On 29 September 2016, an application for continuation of the anti-dumping measures was received from Arrowcrest Group Pty Ltd, representing the Australian industry for ARWs. On 27 October 2016, having considered the application, I decided not to reject the application and initiated an inquiry into whether the continuation of the anti-dumping measures is justified.

In relation to the continuation inquiry, I will make a recommendation to the Assistant Minister for Industry, Innovation and Science and the Parliamentary Secretary to the Minister for Industry, Innovation and Science (Parliamentary Secretary)³ in a report on or before 28 April 2017 (or such later date as allowed in accordance with subsection 269HI(3) of the Act).

The current review

On 15 March 2017, Taian lodged an application under subsection 269ZE(1) of the Act for an accelerated review of the dumping duty and countervailing duty notices in relation to its exports of the goods to Australia from China.

Following consideration of the application, I have decided not to reject the application. Further detail on the consideration of the application is contained in *Anti-Dumping Commission Consideration Report No. 402* (CON 402).

After concluding the accelerated review, I will make a recommendation under subsection 269ZG(1) of the Act to the Parliamentary Secretary that the dumping duty notice and the countervailing duty notice:

- i. remain unaltered; or
- ii. be altered so as to apply to the applicant as if different variable factors had been fixed.

If recommending to the Parliamentary Secretary that different variable factors be applied to the applicant, I may propose a change in the method to determine the interim dumping duty and the interim countervailing duty payable. The available methods for determining the

¹ Except Zhejiang Shuguang Industrial Co. Ltd. (not subject to dumping or countervailing duties), and CITIC Dicastal Wheel Manufacturing Co. Ltd. (not subject to countervailing duties only).

² On 20 September 2015, the Prime Minister appointed the then Parliamentary Secretary to the Minister for Industry, Innovation and Science as the Assistant Minister for Science.

³ On 19 July 2016, the Prime Minister appointed the Parliamentary Secretary to the Minister for Industry, Innovation and Science as the Assistant Minister for Industry, Innovation and Science. For the purposes of this accelerated review, the Minister is the Parliamentary Secretary to the Minister for Industry, Innovation and Science.

interim dumping duty payable are provided in section 5 of the *Customs Tariff (Anti-Dumping) Regulation 2013* (the Regulation). The available methods for determining the interim countervailing duty payable are provided in subsection 10(3B) of the *Customs Tariff (Anti-Dumping) Act 1975* (the Dumping Duty Act).

Public record

There is no legislative requirement to maintain a public record for accelerated reviews. However, in the interests of transparency, a public record for this accelerated review has been opened and is accessible at www.adcommission.gov.au. Alternatively, the public record may be examined at the Commission's office by contacting the Case Manager on the details provided below.

The public record will contain, among other things, a copy of the application, CON 402 and a copy of all submissions from interested parties.

Securities

Pursuant to subsection 269ZH(b) of the Act, the Commonwealth may require and take securities under section 42 of the Act in respect of interim dumping duty and interim countervailing duty that may be payable on importation of the goods to which the application relates.

I have recommended that the Commonwealth require and take securities under section 42 of the Act from 15 March 2017 in respect of interim dumping duty and interim countervailing duty that may be payable on the importation of ARWs exported from China to which the application under subsection 269ZE(1) of the Act relates.

The interim dumping duty that has been determined is an amount that has been worked out in accordance with the combination of fixed (*ad valorem*) and variable duty method pursuant to subsection 5(2) of the Regulation.

The interim countervailing duty that has been determined is an amount that has been ascertained as a proportion of the export price of the goods pursuant to subsection 10(3B)(a) of the Dumping Duty Act.

Lodgment of submissions

Interested parties are invited to lodge written submissions concerning this accelerated review, via email to operations3@adcommisison.gov.au, by fax to +61 3 8539 2499, or by mail to:

The Director
Operations 3
GPO Box 1632
Melbourne VIC 3001

Interested parties wishing to participate in the accelerated review must ensure that submissions are lodged promptly.

Interested parties claiming that information contained in their submission is confidential, or that the publication of the information would adversely affect their business or commercial

interests, must:

- (i) provide a summary containing sufficient detail to allow a reasonable understanding of the substance of the information that does not breach that confidentiality or adversely affect those interests, or
- (ii) satisfy me that there is no way such a summary can be given to allow a reasonable understanding of the substance of the information.

Submissions containing confidential information must be clearly marked "FOR OFFICIAL USE ONLY". Interested parties must lodge a non-confidential version, or a summary of their submission, in accordance with the requirement above (clearly marked "PUBLIC RECORD").

Report to the Parliamentary Secretary

A recommendation to the Parliamentary Secretary will be made in a report on or before 23 June 2017.

Anti-Dumping Commission contact

Enquiries about this notice may be directed to the Case Manager by email to operations3@adcommission.gov.au, or by telephone number +61 3 8539 2415.

Dale Seymour
Commissioner
Anti-Dumping Commission
4 April 2017